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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,180	04/13/2004	Reynaid Gelinas	13585	3726
7590	12/13/2005		EXAMINER	
ORUM & ROTH 53 W. JACKSON BLVD CHICAGO, IL 60604			STONE, JENNIFER A	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/823,180

Applicant(s)

GELINAS, REYNAID

Examiner

Jennifer A. Stone

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 5-14 is/are rejected.
- 7) ☒ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claim 5 recites the limitation "the voltage ripple" in line 1.
3. Claim 5 recites the limitation "the second capacitor" in line 2.
4. Claim 6 recites the limitation "the second capacitor " in line 1.
5. Claim 11 recites the limitation "the amplifier gain " in line 1.
6. Claim 10 recites the limitation "the amplifier" in line 1.

There is insufficient antecedent basis for these limitations in the claims.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Ghanem (US 6,400,102).

Ghanem discloses a substantially constant intensity light source comprising:
functional circuitry, said functional circuitry comprising a switching power supply (col 2, Ins 65-67; col 3, Ins 1,2; col 4, Ins 27-35; Fig. 1, items 14, 44); at least one signal, said signal a matrix of LED's connected in series and parallel and configured for redundancy (Fig. 1, item 3; col 4, Ins 16-22); and a monitoring circuit, said monitoring circuit

comprises a current sense circuit (col 4, Ins 23-26; Fig. 1, item 10); wherein said current sense circuit provides feedback control of a non-linear load (col 1, Ins 65-67; col 3, Ins 42-45; col 6, Ins 50-55).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ghanem (US 6,400,102) and further in view of Yamashita et al. (US 6,340,870).

Ghanem discloses neither an amplifier nor a thermistor; however, Yamashita discloses both of these devices and at least one resistor having a resistivity that decreases as temperature increases (Fig. 1, items S6, 6; Fig. 3, items S6, 33; col 4, Ins 62-67; col 6, Ins 25-28 and 36-39). It would have been obvious to one of ordinary skill in the art, at the time the invention was made to include a resistor where the resistivity decreases above 25°C depending on the design requirements of the circuit. In addition, depending on the design requirements, the set point (in this case 25°C) for the temperature will vary.

11. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ghanem (US 6,400,102) and further in view of Kamoi et al. (US 6,958,580).

Ghanem does not disclose an amplifier; however, Kamoi discloses a reduction in amplifier gain and an increase in current across a resistor (Fig. 2, items 61-63; Fig. 4; col 6, lns 19-23 and 47-50; col 7, lns 5-11. It would have been obvious to include a reduction in amplifier gain and an increase in current across a resistor so that lamp/LED power is reduced in order to conserve energy.

Allowable Subject Matter

12. Claims 2-9 and 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In addition, claims 5 and 6 must overcome the 35 USC 112 second paragraph rejections in order to be considered allowable.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Grossman et al. (US 6,127,784) discloses controlling light intensity of an LED matrix by incorporating a thermistor.

Codomo et al. (SU 3,946,364) discloses an op-amp for controlling light intensity of an LED matrix.

Holmes (US 3,921,035) discloses high speed switching circuits, such as flyback diodes for high intensity lamps.

Dygert (US 6,864,641) discloses controlling an LED matrix circuit that includes an op-amp and a DC boost converter.

Kriparos (US 6,683,419) discloses an electrical control for an LED matrix that includes a current sensor and a feedback circuit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A Stone whose telephone number is (571) 272.2976. The examiner can normally be reached on M-F from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass, can be reached at (571) 272.2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Stone
November 29, 2005



JEFFERY HOFSSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600